



February 19, 2016

ENGROSSED SENATE BILL No. 192

DIGEST OF SB 192 (Updated February 17, 2016 10:38 am - DI 125)

Citations Affected: IC 12-7; IC 12-8; noncode.

Synopsis: Guardianship and adult protective services report. Urges the legislative council to assign to the appropriate committee a study of the visitation, communication, and interaction with a protected person. Requires the family and social services administration (FSSA), in cooperation with the Indiana prosecuting attorneys council (IPAC), to prepare and submit a report to the legislative council before December 1, 2016, concerning adult protective services. Specifies that the report must include: (1) an estimation of appropriate staffing levels necessary to efficiently and effectively manage the investigations of reports of matters related to the abuse, neglect, or exploitation of endangered adults; (2) identification of: (A) the circumstances that should result in emergency placement in the case of an adult protective services investigation; (B) the appropriate types of emergency placements based on those circumstances; and (C) strategies for improving emergency placement capabilities; (3) consideration of the benefits and cost of establishing a centralized intake system for reports of matters related to the abuse, neglect, or exploitation of endangered adults; (4) a
(Continued next page)

Effective: Upon passage.

**Crider, Kenley, Miller Patricia,
Steele, Head, Randolph Lonnie M**

(HOUSE SPONSORS — DEVON, BROWN T, OLTHOFF, MACER)

January 6, 2016, read first time and referred to Committee on Judiciary.

January 28, 2016, amended, reported favorably — Do Pass.

February 1, 2016, read second time, ordered engrossed. Engrossed.

February 2, 2016, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

February 8, 2016, read first time and referred to Committee on Family, Children and Human Affairs.

February 18, 2016, amended, reported — Do Pass.

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Digest Continued

statement of consistent standards of care for endangered adults; (5) a determination of the appropriate levels of training for employees who are involved in providing adult protective services; (6) a draft of a cooperative agreement between the FSSA and IPAC that sets forth the duties and responsibilities of the agencies and county prosecuting attorney offices with regard to adult protective services; and (7) Performance goals and accountability metrics for adult protective services to be incorporated in contracts and grant agreements. Provides that the FSSA shall present the report to the state budget committee. Provides that the state budget committee shall consider the report in formulating the committee's budget recommendations.



February 19, 2016

Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 192

A BILL FOR AN ACT to amend the Indiana Code concerning protective proceedings.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-7-2-77 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 77. "Endangered
3 adult", for purposes of **IC 12-8-1.5-18 and** IC 12-10-3, has the
4 meaning set forth in IC 12-10-3-2.

5 SECTION 2. IC 12-8-1.5-18 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
7 UPON PASSAGE]: **Sec. 18. (a) Before December 1, 2016, the office**
8 **of the secretary of family and social services, in cooperation with**
9 **the Indiana prosecuting attorneys council, shall do the following:**

10 **(1) Prepare and submit a report as described in subsection (b)**
11 **to the legislative council in an electronic format under**
12 **IC 5-14-6.**

13 **(2) Present the report required under this section to the**
14 **budget committee.**

15 **(b) The report must include:**

16 **(1) an estimation of the appropriate staffing levels necessary**
17 **for the office of the secretary of family and social services and**

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county prosecuting attorney offices to efficiently and effectively manage the investigations of reports of matters related to the abuse, neglect, or exploitation of endangered adults;

(2) identification of:

(A) the circumstances that should result in emergency placement in the case of an adult protective services investigation;

(B) the appropriate types of emergency placements based on those circumstances; and

(C) strategies for improving emergency placement capabilities;

(3) consideration of the benefits and cost of establishing a centralized intake system for reports of matters related to the abuse, neglect, or exploitation of endangered adults;

(4) a statement of consistent standards of care for endangered adults;

(5) a determination of the appropriate levels of training for employees of:

(A) the office of the secretary of family and social services; and

(B) a county prosecuting attorney office;

who are involved in providing adult protective services;

(6) a draft of a cooperative agreement between the office of the secretary of family and social services and the Indiana prosecuting attorneys council that sets forth the duties and responsibilities of the agencies and county prosecuting attorney offices with regard to adult protective services; and

(7) performance goals and accountability metrics for adult protective services to be incorporated in contracts and grant agreements.

(c) The budget committee shall consider the report submitted under this section in formulating the committee's budget recommendations.

SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.

(b) As used in this SECTION, "study committee" means either of the following:

(1) A statutory committee established under IC 2-5.

(2) An interim study committee.

(c) The legislative council is urged to assign to the appropriate



1 study committee the topic of visitation, communication, and
2 interaction with a protected person as defined by IC 29-3-1-13.

3 (d) If the topic described in subsection (c) is assigned to a study
4 committee, the study committee shall issue a final report on the
5 topic to the legislative council in an electronic format under
6 IC 5-14-6 not later than November 1, 2016.

7 (e) This SECTION expires December 31, 2016.

8 SECTION 4. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 192, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning protective proceedings.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-7-2-77 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 77. "Endangered adult", for purposes of **IC 12-8-1.5-18 and** IC 12-10-3, has the meaning set forth in IC 12-10-3-2.

SECTION 2. IC 12-8-1.5-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18. (a) Before December 1, 2016, the office of the secretary of family and social services, in cooperation with the Indiana prosecuting attorneys council, shall do the following:**

(1) Prepare and submit a report as described in subsection (b) to the legislative council in an electronic format under IC 5-14-6.

(2) Present the report required under this section to the budget committee.

(b) The report must include:

(1) an estimation of the appropriate staffing levels necessary for the office of the secretary of family and social services and county prosecuting attorney offices to efficiently and effectively manage the investigations of reports of matters related to the abuse, neglect, or exploitation of endangered adults;

(2) identification of:

(A) the circumstances that should result in emergency placement in the case of an adult protective services investigation;

(B) the appropriate types of emergency placements based on those circumstances; and

(C) strategies for improving emergency placement capabilities;

(3) consideration of the benefits and cost of establishing a centralized intake system for reports of matters related to the abuse, neglect, or exploitation of endangered adults;

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(4) a statement of consistent standards of care for endangered adults;

(5) a determination of the appropriate levels of training for employees of:

(A) the office of the secretary of family and social services; and

(B) a county prosecuting attorney office; who are involved in providing adult protective services;

(6) a draft of a cooperative agreement between the office of the secretary of family and social services and the Indiana prosecuting attorneys council that sets forth the duties and responsibilities of the agencies and county prosecuting attorney offices with regard to adult protective services; and

(7) performance goals and accountability metrics for adult protective services to be incorporated in contracts and grant agreements.

(c) The budget committee shall consider the report submitted under this section in formulating the committee's budget recommendations."

Page 2, after line 23, begin a new paragraph and insert:

"SECTION 5. An emergency is declared for this act."

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 192 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 8, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 192, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.

(b) As used in this SECTION, "study committee" means either

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of the following:

(1) A statutory committee established under IC 2-5.

(2) An interim study committee.

(c) The legislative council is urged to assign to the appropriate study committee the topic of visitation, communication, and interaction with a protected person as defined by IC 29-3-1-13.

(d) If the topic described in subsection (c) is assigned to a study committee, the study committee shall issue a final report on the topic to the legislative council in an electronic format under IC 5-14-6 not later than November 1, 2016.

(e) This SECTION expires December 31, 2016."

Page 3, delete lines 1 through 32.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 192 as printed January 29, 2016.)

FRIZZELL

Committee Vote: yeas 11, nays 0.

